UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PETER WALLACE,

Plaintiff,

- against -

NEW SCHOOL UNIVERSITY and EUGENE LANG COLLEGE,

AFFIDAVIT OF SERVICE

05 Civ. 7094 (KMW)

Defendants.

STATE OF NEW YORK)

) ss.:

COUNTY OF NASSAU)

EILEEN SCANLON, being duly sworn, deposes and says:

I am not a party to the action, am over 18 years of age and reside in West Islip, New York.

On September 7, 2005, I served a copy of defendant's **Notice of Motion**, with accompanying exhibits; Declaration of James P. O'Brien, Jr. in Support of Motion to Dismiss; and Defendants' Memorandum of Law in Support of Their Motion to Dismiss by depositing a true copy thereof in official Federal Express overnight wrapper, marked for overnight delivery, and leaving it with a representative of Federal Express, prior to the latest time designated by that service for overnight delivery addressed to:

Mark H. Bierman, Esq.
Beranbaum Menken Ben-Asher & Bierman, LLP
80 Pine Street, 32nd Floor
New York, New York 10005

Eileen Scanlon

Sworn to before me this 7th day of September, 2005

Notary Public

YASMIRA ALONSO NOTARY PUBLIC, State of New York No. 4991549

Qualified in Nassau County Commission Expires February 3,

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